

March 30, 1983

LB 133

CLERK: Mr. President, Senator Hefner would now move to amend the bill.

PRESIDENT: Senator Hefner. May I ask for (gavel) order in the Chamber please. Senator Hefner.

SENATOR HEFNER: Mr. President and members of the body, I move the amendment and I passed the amendment out to you a little earlier. It adds a new section to LB 133 and was brought to me by the beer wholesalers, and what it says, "A beer distributor's license shall allow the wholesale purchase, importation and storage of beer and sale", and then we are adding "including delivery". Historically the beer industry has been delivering beer free from wholesalers to retailers and a question has been raised as to whether this is permissible, and all this amendment would do would be to place into law what has been...what the wholesalers have been doing at the present time. In talking to the Liquor Commission, they support this amendment and what it would do is just spell out a little more clearly what a beer distributor could do. So I would urge you to support the amendment.

PRESIDENT: Do you wish to speak on this amendment, Senator Newell?

SENATOR NEWELL: Yes, I rise to support the Hefner amendment. I think very clearly the question is a technical question that is being discussed in terms of whether delivery is a thing of value. I just want to remind the Legislature that it is the intent to keep from tying one brewery or one distributor to an individual licensee and that is what we have the thing of value rule for. It is to keep special arrangements from happening with a individual licensee or a retailer. So, frankly, if all of the distributors can haul beer, I think it would not and should not be a concern of this Legislature, if they are all doing it that they are going to see any ties to any one licensee. For that reason I think this is a clarification in the law that deals with a technical concern that has been raised and I think it is a very good amendment and one that frankly clarifies and makes sure we can continue to have these distributors offer this service.

PRESIDENT: Is there further discussion? Do you waive closing, Senator. The motion is to adopt the Hefner amendment. All those in favor vote aye, opposed vote no. Have you all voted? The Clerk will record the vote.

CLERK: 28 ayes, 0 nays, Mr. President.